

# AGENCY INFORMATION GUIDE

2022

Agency Information Guide		
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## Agency Information Guide

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## **1. Structure and Function of Council**

### **1.1 About the City of Parramatta**

The City of Parramatta lies 24 kilometres west of Sydney's CBD at the heart of the Greater Sydney Metropolitan Region and has been home to the Dharag peoples for more than 60,000 years.

Covering an area of 84 square kilometres, Parramatta is located at the head of Sydney Harbour, with hills and valleys to the north of the Parramatta River and the Cumberland Plain to the south.

Parramatta is the only Sydney city with a true 360 degree catchment. It is a major regional transport hub serviced by road, rail, bus and ferry, and accessible to approximately 2.3 million people by car or public transport within 45 minutes.

In recent years, Parramatta has cemented its standing as Sydney's Central City and second CBD – the economic capital of Western Sydney, Australia's fastest growing region. Between 2018 and 2038, City of Parramatta will welcome more than 166,000 new residents and 33,000 new workers to our City and neighbourhoods.

As more people and industries discover the advantages our region can provide, the City of Parramatta continues to build on its strengths as a hub of economic activity, essential services, natural assets, culture, and creativity. This success will benefit not just those living within the City of Parramatta, but all of Greater Sydney, and will play an important role for generations to come.

### **1.2 Basis of Constitution**

City of Parramatta Council (Council) is constituted under the Local Government Act 1993 and was proclaimed on 27 October 1938. The Local Government Act provides the legal framework for the system of local government in NSW and sets out the responsibilities and powers of Councils and Councillors.

### **1.3 The Governing Body**

The City of Parramatta is divided into 5 wards and is governed by a body of 15 Councillors who are elected by the residents and ratepayers of the local government area.

The role of the Councillors, as members of the governing body is to:

- direct and control the affairs of the Council in accordance with the Local Government Act and other applicable legislation
- participate in the optimum allocation of the Council's resources for the benefit of the area
- play a key role in the creation and review of the Council's policies, objectives and criteria relating to the exercise of the Council's regulatory functions
- review the performance of the Council and its delivery of services, management plans and revenue policies of the Council

The role of a councillor, as an elected person is to:

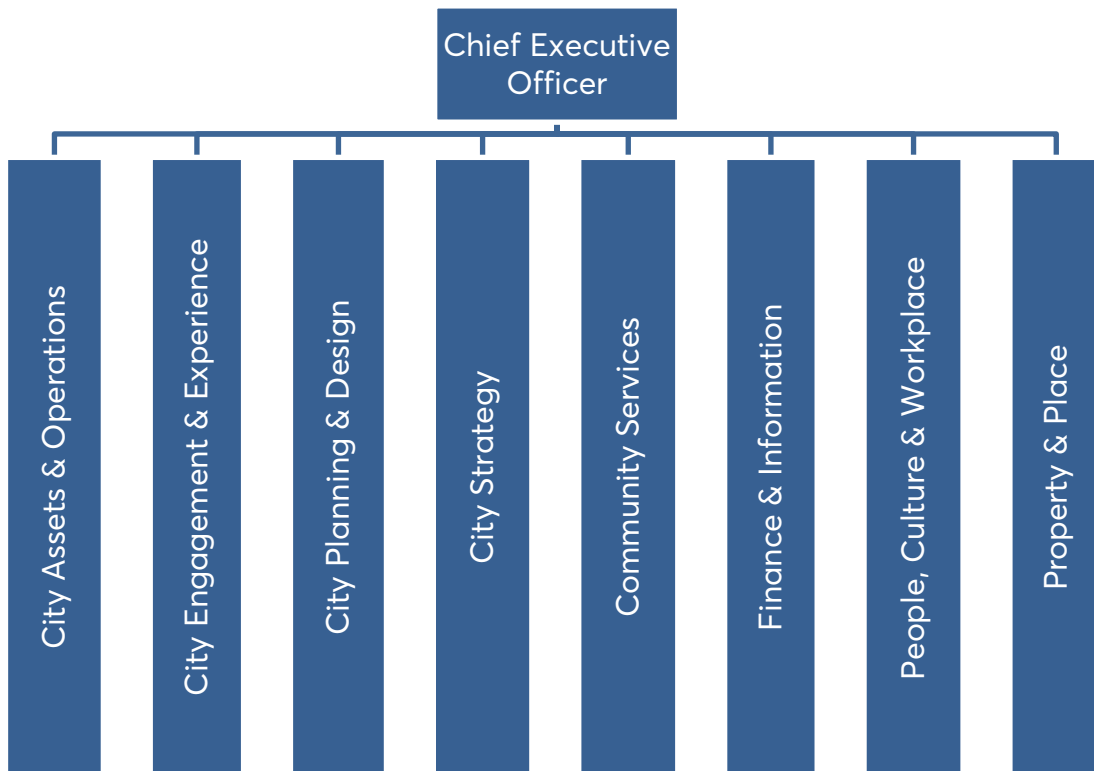
- represent the interests of the residents and ratepayers
- provide leadership and guidance to the community
- facilitate communication between the community and the Council.

The Lord Mayor presides at meetings of the Council, carries out the civic and ceremonial functions of the office, exercises, in cases of necessity, the decision-making functions of the body politic, between its meetings and performs any other functions that the Council determines.

## 1.4 Organisational overview

The Principal Officer of Council is the Chief Executive Officer. The Chief Executive Officer is responsible for the efficient operation of the Council's organisation and for ensuring the implementation of Council decisions. The Chief Executive Officer is also responsible for the day-to-day management of the Council, the exercise of any functions delegated by the Council, the appointment, direction and where necessary, the dismissal of staff, as well as the implementation of Council's Equal Employment Opportunity Management Plan.

To assist the Chief Executive Officer in the exercise of these functions, there are 8 Directorates of Council. These Directorates are City Assets & Operations, City Engagement & Experience, City Planning & Design, City Strategy, Community Services, Finance & Information, People, Culture & Workplace and Property & Place. Each of these areas is headed by an Executive Director.



## 1.5 Functions of the City of Parramatta

Under the *Local Government Act 1993* (LGA), Council's functions can be grouped into the following categories:

### SERVICE FUNCTIONS

- Provision of community health, recreation, entertainment(events) education & information services
- Environmental protection
- Waste removal & disposal
- Land & property, industry & tourism development & assistance
- Civil Infrastructure Planning
- Civil Infrastructure Maintenance & Construction

### REGULATORY FUNCTIONS

- Approvals
- Orders
- Building Certificates and town planning
- Permits
- Compliance

### ANCILLARY FUNCTIONS

- Resumption of land
- Powers of entry and inspection

### REVENUE FUNCTIONS

- Rates
- Fees & Charges
- Borrowings
- Investments
- Long term financial planning

### ADMINISTRATIVE FUNCTIONS

- Employment of staff & HR Support
- Management plans
- Financial reporting
- Annual reports
- Community strategic planning, urban planning and corporate reporting
- Risk Management
- IT Support
- Records Management
- Access to Information
- Administration of Council meetings (including business papers & minutes)

### ENFORCEMENT FUNCTIONS

- Proceedings for breaches of the Local Government Act & Regulations and other Acts & Regulations.
- Prosecution of offences
- Recovery of rates and charges.

As well as the Local Government Act, Council has powers under a number of other statutory instruments, including but not limited to:

A-D	<ul style="list-style-type: none"> <li>• Biodiversity Conservation Act 2016</li> <li>• Biosecurity Act 2015</li> <li>• Building Professionals Act 2005</li> <li>• Civil Liability Act 2002</li> <li>• Community Land Development Act 1989</li> <li>• Companion Animals Act 1998</li> </ul>	<ul style="list-style-type: none"> <li>• Contaminated Land Management Act 1997</li> <li>• Conveyancing Act 1919</li> <li>• Crown Land Management Act 2016</li> <li>• Crown Lands Act 1989</li> <li>• Dividing Fences Act 1991</li> </ul>
	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Environmental Planning and Assessment Regulation 2021</li> <li>• Fines Act 1996</li> <li>• Firearms Act 1996</li> <li>• Fire Brigades Act 1989</li> <li>• Fluoridation of Public Water Supplies Act 1957</li> <li>• Food Act 2003</li> </ul>	<ul style="list-style-type: none"> <li>• Geographical Names Act 1966</li> <li>• Government Information (Public Access) Act 2009</li> <li>• Government Information (Public Access) Regulation 2018</li> <li>• Graffiti Control Act 2008</li> <li>• Heritage Act 1977</li> </ul>
E-H	<ul style="list-style-type: none"> <li>• Impounding Act 1993</li> <li>• Inclosed Lands Protection Act 1902</li> <li>• Land Acquisition (Just Terms Compensation) Act 1991</li> <li>• Land and Environment Court Act 1979</li> </ul>	<ul style="list-style-type: none"> <li>• Library Act 1939</li> <li>• Liquor Act 2007</li> <li>• Local Land Services Act 2013</li> <li>• Major Events Act 2009</li> </ul>
	<ul style="list-style-type: none"> <li>• National Parks and Wildlife Act 1974</li> <li>• Ombudsman's Act 1974</li> <li>• Pesticides Act 1999</li> <li>• Pipelines Act 1967</li> <li>• Plumbing and Drainage Act 2011</li> <li>• Privacy and Personal Information Protection Act 1998</li> <li>• Protection of the Environment Operations Act 1997</li> </ul>	<ul style="list-style-type: none"> <li>• Public Health Act 2010</li> <li>• Public Interest Disclosures Act 1994</li> <li>• Recreation Vehicles Act 1983</li> <li>• Road Transport Act 2013</li> <li>• Roads Act 1993</li> <li>• Rural Fires Act 1997</li> </ul>
I-M	<ul style="list-style-type: none"> <li>• Surveying and Spatial Information Act 2002</li> <li>• Swimming Pools Act 1992</li> <li>• Smoke Free Environment Act 2000</li> <li>• State Emergency Rescue Management Act 1989</li> <li>• State Emergency Service Act 1989</li> <li>• State Records Act 1998</li> <li>• Strata Schemes Development) Act 2015</li> <li>• Strata Schemes Management Act 1996</li> </ul>	<ul style="list-style-type: none"> <li>• Threatened Species Conservation Act 1995</li> <li>• Transport Administration Act 1988</li> <li>• Unclaimed Money Act 1995</li> <li>• Valuation of Land Act 1916</li> <li>• Waste Avoidance and Resource Recovery Act 2001</li> <li>• Water Management Act 2000</li> <li>• Work Health and Safety Act 2011</li> <li>• Workplace Injury Management and Workers Compensation Act 1998</li> </ul>
N-R		
S-Z		

## 2. How Council's Functions Affect Members of the Public

As a service organisation, most of Council's activities have an impact on the public with over 40 services being provided. The following is an outline of how the broad functions of Council affect the public.

**Service functions** affect the public as Council provides services and facilities to the public. These include provision of human services such as Meals on Wheels, child-care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of garbage as well as the upkeep of roads and footpaths.

**Regulatory functions** place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and not endanger the lives and safety of any person. Members of the public must be aware of, and comply with, such regulations.

**Ancillary functions** will only affect members of the public who are in breach of certain legislation. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.

**Revenue functions** affect the public directly as revenue collected from rates and other charges paid by the public, is used to fund services and facilities provided to the community.

**Administrative functions** have an impact on the community through the efficiency and effectiveness of the services provided. Our administrative functions include employing staff, developing management plans and financial and performance reporting.

**Enforcement functions** only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unclean premises, environmental offences, unregistered dogs and parking offences.

**Community planning and development functions** affect areas such as cultural development, social planning and community profile. Council's planning function, which must be conducted within the Office of Local Government's Integrated Planning & Reporting Framework, has far-reaching and long-term effects on residents. These functions involve:

- Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.
- Providing support to community and sporting organisations through provision of grants, training and information.
- Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as NAIDOC Week, Youth Week, Children's Week, as well as promoting events of others.

### **3. How the Public Can Participate in Council's Policy Development and the Exercising of Functions**

The City of Parramatta Council uses feedback gathered through various community engagement channels to identify the priorities for future works and strategic direction, and the challenges faced by our community.

There are a variety of ways the Public can participate in the policy development and general activities of the Council. These can be split into 2 broad categories: representation and personal participation.

#### **3.1 Representation**

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their local Council to make decisions on their behalf. In New South Wales, local government elections are held every 4 years. The most recent election was held in December 2021. The next elections are to be held in September 2024. The Lord Mayor and Deputy Lord Mayor are elected by Councillors, every 2 years.

At each election, voters elect 15 Councillors (3 from each of the 5 wards) for a 4-year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote but must register their intention to vote on the non-residential roll. Voting is compulsory.

Residents can raise issues at any time with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy. Contact details for the currently elected Councillors are available on [Council's website](#).

#### **3.2 Personal Participation**

Council regularly engages with the public through formal consultative processes required by legislation such as the Community Strategic Plan, Delivery Program and Operational Plan, key policy and planning exhibitions and special project exhibitions. Council encourages members of the public to make submissions on these issues as part of the public consultation process.

Similarly, adjoining owners are consulted about building and development applications and groups of residents are consulted about council proposals which may affect them. Members of the public may also influence Council decision making through written submissions, writing letters, raising issues over the phone or in person or submitting petitions to Council.

##### **3.2.1 Participate Parramatta**

[Participate Parramatta](#) is Council's dedicated community engagement platform. The site provides a central location for all of Council's engagement projects, which the community can provide feedback on. Participate Parramatta offers a range of user-friendly tools such as surveys, interactive maps and vision boards that can be used to guide the community when participating in consultations.



### 3.2.2 [Council Meetings - Public Forum](#)

Members of the public may attend and listen to debate at Council meetings. These meetings are typically held on the second & fourth Monday of the month, commencing at 6.30pm.

In the interest of transparency and ensuring the public is informed about Council, matters transacted at Council meetings are dealt with in open meetings, except in cases where matters are of a confidential nature.

Members of the public can influence the Council in its decision-making processes, and ultimately, policy, by participating in the public forum, which occurs during Council meetings. Individuals may ask a question or make a statement during [Council's Public Forum Section](#), on items listed for consideration at that meeting. Individuals may also make representations prior to Council going into closed session.

To speak at a Public Forum, individuals are required to submit an application form by close of business on the Thursday prior to the Council meeting they wish to address.

All members of the Public must comply with Council's [Code of Meeting Practice](#) when addressing Council at a Public Forum.

Meeting agendas and reports to Council (excluding matters which are confidential) are made available to the public, on [Council's website](#) by the Tuesday prior to the meeting. Minutes of meetings are made publicly available on the Friday after the Council meeting.

### 3.2.3 [Parramatta Local Planning Panel](#)

Local Planning Panels are required to operate in the Greater Sydney Region to determine development applications with a high level of public interest or strategic importance and to safeguard against corruption.

The Parramatta Local Planning Panel (PLPP) includes expert and community members. PLPP meetings are generally held at 126 Church Street, Parramatta monthly.

Members of the public who wish to address the PLPP about matters on the agenda, can do so by completing an application, available on the [PLPP's webpage](#). Members of the public are also able to attend the PLPP as observers.

Business papers and Minutes for PLPP meetings are available on [Council's website](#).

### 3.2.4 Advisory Committees

Council has several [Advisory Committees](#) that comprise or include members of the public. These committees include:

Access Advisory Committee	Major Projects Advisory Committee
Active Transport Advisory Committee	Parramatta Light Rail Stage 2 Advisory Committee
Citizens of the Year Awards Committee	Parramatta Traffic Committee
Environment Advisory Committee	Parramatta Traffic Engineering Advisory Group
First Nations Advisory Committee	Riverside Theatres Advisory Group
Floodplain Risk Management Committee	Smart City Advisory Group
Heritage Advisory Committee	

Advisory Committees are an important means of engaging with the local community as they provide a mechanism by which interested residents and experts can play an active role in the formulation of Council policy, direction and practice.

Advisory Committees do not have delegated authority to make a final determination or resolution on any matter referred to them. Instead, their role is to provide advice and recommendations to Council, who then considers the advice/ recommendations in their deliberations.

Committee members drawn from the community have experience or expertise in the areas defined by their committee of interest and commit themselves to Advisory Committee responsibilities. They also must reside or work within the Parramatta Local Government Area or demonstrate a strong commitment to the Local Government Area.

Expressions of Interest (EOIs) are invited for Committee membership at the commencement of a new Council term. Any vacancies, which arise during the Council term, are filled by reference to an eligibility list, or where there is no list, vacancies are advertised on Council's website and through social media.

### 3.2.5 Reporting an Issue

You can notify Council about any issues that will impact how we direct our resources to services that will support a clean and safe community. You can contact Council online, by phone or in person.

[Submit a Request](#) on Council's online [Services Portal](#), allows you to report common and important issues that Council can action once notified. You can guide Council by reporting on illegal dumping, illegal graffiti, unauthorised and illegal accommodation, noise, pets and animals, vehicles and parking, trees, garbage and waste and damaged footpaths.

## 4. Access to Government Information

### 4.1 The City of Parramatta's Commitment

Council is committed to promoting openness and transparency in government by providing access to information, unless there is an overriding public interest against disclosure. The *Government Information (Public Access) Act 2009* (GIPA Act) provides a presumption in favour of disclosure and a legally enforceable right of access to government information.

Council is committed to making as much information as possible publicly available in an appropriate manner, such as on the Council's website.

Council will promote disclosure and dissemination of information about its operations, plans and decisions and information that promotes community advancement and the objective of the GIPA Act:

*"In order to maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective, the object of this Act is to open government information to the public."*

### 4.2 What is the Government Information (Public Access) Act 2009 (GIPA)?

The Government Information (Public Access) Act 2009 (GIPA) came into effect on 1 July 2010, replacing the Freedom of Information Act 1989.

Under the provisions of the GIPA Act, there is a legally enforceable right of access to certain information held by Council, unless there is an overriding public interest against its disclosure.

### 4.3 Format of Information Held by Council

Council holds information that relates to the different functions undertaken and issues concerning the Parramatta local government area. These records are grouped into 3 categories:

- Files - Electronic and "Physical"
- Policy Documents
- General Documents

#### 4.3.1 Files – Both Electronic and "Physical"

In 2004 Council implemented an electronic document management system called TRIM (now known as Content Manager) and post 1 July 2004 hard copy, physical files were dispensed with, except for information such as development/building/construction applications. Prior to 1 July 2004, the main types of "physical" files held by Council includes general subject files, development and building files, property files as well as street and park files.

Files prior to 1 July 2004 are not available on Council's website however this information may be made available either by informal release or via an access application in accordance with Sections 7-9 of the GIPA Act unless there is an overriding public interest against disclosure of the information, as outlined in Section 14 of the GIPA Act.

With the implementation of the NSW Planning Portal in July 2020, Council no longer creates hardcopy development and building files. These records are stored electronically in Content Manager.

In July 2021, it became mandatory for all Council's to use the NSW Planning Portal for development and building applications. Hardcopy applications are no longer accepted or received, and all records are stored electronically in Content Manager.

#### 4.3.2 Policy Documents

Policy documents are available on Council's [website](#).

#### 4.3.3 General Documents

The GIPA Act makes it necessary for agencies to freely provide Open Access information on Council's website, at Council Offices during ordinary office hours or at a place determined by Council. This includes Council's:

- Information Guide (this document)
- Documents tabled at parliament
- [GIPA Disclosure Log](#)
- [Contracts register](#)
- [Record of the open access information not made public due to an overriding public interest against disclosure \(section 6\(5\) of the GIPA Act\)](#).

The *Government Information (Public Access) Regulation 2018* (GIPA Regulation) also provides the following additional information as Open Access information:

### 1. **Information about Council**

#### ➤ **Information contained in the current version and the most recent previous version of:**

- The [model code](#) prescribed under section 440 (1) of the LGA and the [Code of Conduct](#) Council has adopted under section 440 (3) of the LGA
- [Code of Meeting Practice](#)
- [Annual Report](#)
- [Annual Financial Reports](#)
- Auditor's Report (included in Annual Report)
- [Management Plan](#)
- EEO Management Plan
- Policy concerning the [Payment of Expenses Incurred by, and the Provision of Facilities to, Councillors](#)
- Annual Reports of Bodies Exercising Functions Delegated by Council
- Any Codes referred to in the LGA (see Code of Conduct and Code of Meeting Practice above)

- **Information contained in the following records (whenever created):**
  - [Returns of the Interests of Councillors, Designated Persons and Delegates](#)
  - [Agendas and Business Papers](#) for any meeting of Council or any Committee of Council
  - [Minutes](#) of any meeting of Council or any Committee of Council
  - Departmental Representative Reports presented at a meeting of Council
  
- **Information contained in the current version of:**
  - [Land Register](#)
  - Register of Investments
  - Register of Delegations - [Administrative Delegations Manual & Legislative Delegations Manual](#)
  - Register of [Graffiti removal works](#)
  - Register of current [Declarations of Disclosures of Political donations](#)
  - Register of [Voting on Planning Matters](#)
  - [Register of contracts](#) that an agency has with private sector organisations with a value of \$150,000 and over

**2. Plans and Policies - current and previous versions of the following records:**

- Local Policies adopted by Council concerning approvals and orders
- [Plans of Management for Community Land](#)
- [Environmental Planning Instruments, Development Control Plans](#) and [Contribution Plans](#)

**3. Information about Development Applications - whenever created**

- Development Applications and any associated documents received in relation to a proposed development:
- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions on appeals
- Records describing general nature of documents that Council decides to exclude from public view including internal specifications and configurations, and commercially sensitive information

These records are available on Council's [DA tracker](#).

**This does not apply to:**

- a) The plans and specifications for any residential parts of a proposed building, other than the plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected,
- b) Commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.
- c) development applications made before 1 July 2010 and any associated documents received (whether before, on or after that date) in relation to the application.

**4. Approvals, Orders and Other Documents - whenever created**

- Applications for approvals under part 7 of the LGA\*
- Applications for approvals under any other Act and any associated documents received\*
- Records of approvals granted or refused, any variation from Council Policies with reasons for the variation, and decisions made on appeals concerning approvals\*
- Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA\*
- Orders given under the Authority of any other Act\*
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979 - available on Council's [DA tracker](#)
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

\* This information requires some investigation by Council to identify the specific records being sought. If you require any of these items, please contact Council's Information Access team via [gipa@cityofparramatta.nsw.gov.au](mailto:gipa@cityofparramatta.nsw.gov.au).

#### 4.4 Accessing Government Information

The Government Information (Public Access) Act grants the public a legally enforceable right of access to Government (Council) information. Government information is defined in the Act as information contained in a record held by an agency.

A Council record, for the purposes of the GIPA Act, is information:

- to which Council has an immediate right of access
- that is in the possession or under the control of a Council officer
- created by an officer of the Council in the normal course of that person's duties for the purposes of Council.

There are 4 ways to access government information:

- **Mandatory proactive release / Open Access information**  
The GIPA Act and Regulation prescribe certain information as Open Access information. Council must publish this information on its website free of charge or make it available in another way.
- **Authorised proactive release**  
Information that is frequently requested will be made routinely available and released under Mandatory Release.
- **Informal release**  
Information not available on Council's website that can be easily located and does not relate to personal or business information of a third party, may be released in response to an informal application.
- **Formal release**  
Information that is not available on Council's website and is not available via the 3 ways of access listed above, may then require then a formal access application to be submitted.

### **Informal Applications**

Council is committed to releasing as much information as possible informally.

If the information you are seeking is not available on Council's website, then consider submitting an Informal request for Access to Information, through Council's online [Services Portal](#) or by lodging an [Informal Request for Access to Information](#).

Council may release information in response to an Informal request when the information:

- is classified as mandatory or authorised proactive release
- does not relate to the personal or business affairs of a third party
- does not require a significant amount of Council's resources to process

When deciding whether to release information, Council must consider whether there is an overriding public interest against releasing the information.

### **Formal Access Applications**

Information that is not available on Council's website or via the 3 methods listed above, may require a formal access application.

Council will only require a formal access application in circumstances where requests are for information:

- relating to the personal affairs of a person other than the applicant
- relating to a third party's business, commercial or financial interests
- that requires consultation with third parties
- that requires a considerable amount of Council's time and resources to process, or the request is complex.

A formal access application can be submitted through Council's online [Services Portal](#) or by lodging a [Formal Request for Access to Information](#).

The GIPA Act stipulates how a formal access application is to be dealt with including acknowledgement, determination and associated fees. Formal access applications will be decided by applying the public interest test to determine if there is an overriding public interest against disclosure (OPIAD).

### **Fees and Charges**

Open Access	No cost
Proactive release	No cost or minimum cost i.e. photocopying
Informal release	No cost or minimum cost i.e. photocopying
Formal release	\$30 Application fee \$30 per hour processing charge (the application fee counts towards the first hour of processing).

An advance deposit may be requested dependent on information requested.

For further fees refer to [Council's Schedule of Fees and Charges](#).

### **4.5 GIPA and Copyright legislation**

Copyright issues may arise when requests are made for copies of documents held by Council. The Commonwealth Copyright Act 1968 takes precedence over State legislation.

Therefore, the right to copy documents under the GIPA Act does not override the Copyright Act. Nothing in the GIPA Act or Regulations permits Council to make government information available in any way that would constitute an infringement of copyright.

Access to copyrighted documents will be granted by way of inspection only unless the copyright owner's written consent is provided. Where authority is unable to be obtained or the copyright owner is not able to be contacted, copies of copyright material will not be provided. Copyright material includes, but not limited to, plans/drawings, consultant reports and survey reports.



## 5. Public Access to Council Information

In accordance with Division 1 of the GIPA Act, government information may be made available either by:

- Open Access information
- Authorised Proactive release
- Informal request
- Formal request (Access Application)

Under the *Government Information (Public Access) Act 2009* all government agencies must release information unless there is an overriding public interest to do so. There is a general public interest in favour of the disclosure of government information.

The public interest test outlined in the GIPA Act, sets out the steps to identify whether it is in the public interest to release information or not. Before determining to release information, agency staff must apply the public interest test.

### **What is in the public interest?**

Before releasing government information, an agency must weigh up the public interest considerations in favour of disclosing information against public interest considerations against disclosure. Agencies can only refuse access to information if the public interest against disclosure outweighs the public interest in favour of disclosure.

There are some limited exceptions to this rule. For example, an access application may cause a significant and unreasonable impact on an agency's resources and the application could be refused for these reasons.

The public interest test involves three steps:

1. Identifying the relevant public interest considerations in favour of disclosing information (considerations are unlimited)
2. Identifying any relevant public interests against disclosing information
3. Assessing the weight of the public interest considerations in favour of and against disclosure and determining where the balance between those interests lies.

### **What are the public interest considerations against releasing information?**

There are limited and specific considerations against the release of information that an agency can take into account. These relate to:

- Law enforcement and security
- Individual rights, judicial processes and natural justice
- Responsible and effective government
- Business interests
- Environment, culture, economy and other matters
- Secrecy and exemption provisions in other laws.

### **Consultation**

If a request for information relates to the business, commercial or personal affairs of others, Council may need to consult with those third parties before deciding whether or not to release the information.

Consultation forms is an important part of balancing the right of access to information with the rights of individuals or businesses to protect their privacy or information that relates to their business, commercial, professional, or financial interest.

### **Review**

A decision made about an [access application](#) (Formal GIPA) may be reviewed in line with the provisions of [section 80](#) of the GIPA Act.

An [internal review](#) is conducted by a Council officer who is not less senior than the person who made the original decision. There is a cost of \$40 associated with an internal review application and reviews must be completed within 15 working days.

External reviews are conducted by the [Information and Privacy Commission](#) or the [NSW Civil and Administrative Tribunal](#).

## 6. Open Data

Council supports providing data that enables reuse by the public and the private sector for research or other purposes.

Council's [Data Visualisation Hub](#) provides access to interactive maps to discover and view useful information about the City of Parramatta.

There are many government based open data initiatives in Australia, including the NSW Government [Data.NSW](#) portal and the [federal government open data portal](#).

## 7. How Members of the Public may Access and Amend Council Documents Concerning their Personal Affairs

Council has a vast range of documents that can be accessed in varying ways. Most documents can be inspected at and obtained from Council's Administration office between the hours of 8:30am and 4:30pm, Monday to Friday (except public holidays). For further enquiries about amending records, please contact Council's [Information Access Team](#).

### 7.1 Information Access Team

Council's Right to Information officer is part of the Information Access team. The Information Access team is made up of a Senior Records Information officer, a GIPA officer (both delegated Right to Information officers) and two Records Information officers. The Right to Information officers determine applications for access to documents or for the amendment of records.

For any information regarding access to Council information, please contact the Information Access team at [gipa@cityofparramatta.nsw.gov.au](mailto:gipa@cityofparramatta.nsw.gov.au) or by calling Council on 02 9806 5050.

### 7.2 Public Officer

If you have any difficulty in obtaining access to Council documents, you may wish to refer your enquiry to the Public Officer. It should be noted that the Legal Services Manager has been appointed as the Public Officer. Amongst other duties, the Public Officer may deal with requests from the public concerning the council's affairs and has the responsibility of assisting people to gain access to public documents of the Council. If you would like to amend a document of Council which you feel is incorrect it is necessary for you to make written application to the Public Officer in the first instance. Enquiries should be addressed as follows:

Public Officer  
Parramatta City Council  
PO Box 32  
PARRAMATTA NSW 2124  
Email: [council@parracity.nsw.gov.au](mailto:council@parracity.nsw.gov.au)

## 8. Role of the Information Commissioner

The Information Commission is an independent office holder under section 4 of the GIPA Act. The Information Commissioners role is to promote public awareness and understanding of the right to access government information in NSW, as well as providing information, support, advice, assistance and training to agencies and the general public.

The Information Commissioner has the power to review decisions made by other NSW government agencies and deal with complaints about information access.

Anyone can complain to the Information Commissioner about the conduct (including action or inaction) of an agency in the exercise of functions under an Information Act, including conduct that is alleged by the person to constitute a contravention of an Information Act.

A complaint may be made in one of the following ways:

- post: GPO Box 7011, Sydney NSW 2001
- email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)
- in person: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000

The Information Commissioner may decide to investigate, not to continue to investigate, or not investigate a complaint

More information regarding complaints about an agency's conduct is available on the [IPC website](#).

For further information regarding right to information, please contact the Information and Privacy Commission:

Website: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

Phone: 1800 472 679